

AO 441 (Rev. 8/01) Third Party Summons in a Civil Action

UNITED STATES DISTRICT COURT

Northern District of California

PLAINTIFF
THE CONTINENTAL INSURANCE COMPANY

THIRD PARTY SUMMONS IN A CIVIL ACTION

V. DEFENDANT AND THIRD PARTY PLAINTIFF
JOHN JOSEPH COTA; REGAL STONE LIMITED;
FLEET MANAGEMENT, LTD.; and the M/V
COSCO BUSAN, LR/IMO Ship. No. 9231743
her engines, apparel, electronics,
tackle boats, appaurtenance

Case Number: 3:08-CV-2052-SC

V. THIRD PARTY DEFENDANT
THE SAN FRANCISCO BAR PILOTS and THE SAN
FRANCISCO BAR PILOTS BENEVOLENT AND PROTECTIVE ASSOCIATION
To: Name and address of Third Party Defendant
THE SAN FRANCISCO BAR PILOTS
c/o Peter McIssac, Pier 9, East End, San Francisco, CA 94111

YOU ARE HEREBY SUMMONED and required to serve on

PLAINTIFF'S ATTORNEY (name and address)

Samuel H. Ruby (415-352-2700)
Bullivant Houser Bailey PC
601 California Street, Suite 1800
San Francisco, CA 94108

Steven M. Crane (213-955-1150)
Berkes Crane Robinson & Seal LLP
515 S. Figueroa St., Suite 1500
Los Angeles, CA 90071

DEFENDANT AND THIRD-PARTY PLAINTIFF'S ATTORNEY
(name and address)

Scott T. Pratt (562-436-200)
Joseph A. Walsh
Elizabeth A. Kendrick
Keesal, Young & Logan
400 Oceangate

an answer to the third-party complaint which is served on you with this summons, within Twenty days after the service of this summons on you, exclusive of the day of service. If you fail to do so, judgement by default may *be taken* against you for the relief demanded in the third-party complaint. There is also served on you with this summons a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint, *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the claim of the third-party plaintiff. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

RICHARD W. WIEKING

CLERK

DATE

JUL 18 2008

(By) DEPUTY CLERK

SUSAN IMBRIANI

AO 441 (Rev. 8/01) Third Party Summons in a Civil Action

RETURN OF SERVICE

| | |
|--|-------|
| Service of the Summons and complaint was made by me ⁽¹⁾ | DATE |
| NAME OF SERVER | TITLE |

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the third-party defendant. Place where served:
- ☐ Left copies thereof at the third-party defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left:
- ☐ Returned unexecuted:
- ☐ Other (specify):

STATEMENT OF SERVICE FEES

| | | |
|--------|----------|-------|
| TRAVEL | SERVICES | TOTAL |
|--------|----------|-------|

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____
Date

Signature of Server

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT

Northern District of California

PLAINTIFF

THE CONTINENTAL INSURANCE COMPANY

**THIRD PARTY SUMMONS IN A
CIVIL ACTION**

V. DEFENDANT AND THIRD PARTY PLAINTIFF

JOHN JOSEPH COTA; REGAL STONE LIMITED;
FLEET MANAGEMENT, LTD.; and the M/V
COSCO BUSAN, LR/IMO Ship. No. 9231743
her engines, apparel, electronics,
tackle boats, appaurtenance

Case Number: 3:08-CV-2052-SC

V. THIRD PARTY DEFENDANT

THE SAN FRANCISCO BAR PILOTS and THE SAN
FRANCISCO BAR PILOTS BENEVOLENT AND PROTECTIVE ASSOCIATION
To: Name and address of Third Party Defendant

THE SAN FRANCISCO BAR PILOTS BENEVOLENT AND PROTECTIVE ASSOCIATION
c/o Peter McIssac, Pier 9, East End, San Francisco, CA 94111

YOU ARE HEREBY SUMMONED and required to serve on

PLAINTIFF'S ATTORNEY (name and address)

Samuel H. Ruby (415-352-2700)
Bullivant Houser Bailey PC
601 California Street, Suite 1800
San Francisco, CA 94108

Steven M. Crane (213-955-1150)
Berkes Crane Robinson & Seal LLP
515 S. Figueroa St., Suite 1500
Los Angeles, CA 90071

**DEFENDANT AND THIRD-PARTY PLAINTIFFS ATTORNEY
(name and address)**

Scott T. Pratt (562-436-200)
Joseph A. Walsh
Elizabeth A. Kendrick
Keesal, Young & Logan
400 Oceangate

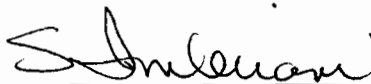
an answer to the third-party complaint which is served on you with this summons, within Twenty days after the service of this summons on you, exclusive of the day of service. If you fail to do so, judgement by default may be taken against you for the relief demanded in the third-party complaint. There is also served on you with this summons a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint, *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the claim of the third-party plaintiff. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

RICHARD W. WIEKING

CLERK

JUL 18 2008

DATE



(By) DEPUTY CLERK

SUSAN IMBRIANI

AO 441 (Rev. 8/01) Third Party Summons in a Civil Action

| RETURN OF SERVICE | | |
|---|----------|-------|
| Service of the Summons and complaint was made by me ⁽¹⁾ | | DATE |
| NAME OF SERVER | | TITLE |
| <i>Check one box below to indicate appropriate method of service</i> | | |
| <input type="checkbox"/> Served personally upon the third-party defendant. Place where served: <input type="checkbox"/> Left copies thereof at the third-party defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <input type="checkbox"/> Returned unexecuted: <input type="checkbox"/> Other (specify): | | |
| STATEMENT OF SERVICE FEES | | |
| TRAVEL | SERVICES | TOTAL |
| DECLARATION OF SERVER | | |
| <p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ <div style="display: flex; justify-content: space-between; width: 100%;"> Date Signature of Server </div> <div style="text-align: right;"> _____ Address of Server </div> </p> | | |

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.